



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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1117242 - R8 SDMS

Ref: 8ENF-RC

September 15, 2009

United Park City Mines
Kerry C. Gee, Vice President
United Park City Mines Company
P. O. Box 1450
Park City, Utah 84060

Dear Mr. Gee:

Thank you for your ongoing efforts to reach agreement with EPA regarding the Richardson Flat Tailings Site, Operable Unit 2, Remedial Investigation and Feasibility Study Administrative Settlement Agreement and Order on Consent ("AOC").

As discussed, it is the intention of both EPA and United Park City Mines to resolve Site past costs after negotiation of the current AOC. UPCM has raised a concern, however, that there are additional PRPs that are currently uninvolved or unrepresented in the process. It has been requested that any such parties be invited to the table at the time EPA negotiates past costs and, if fitting, that the Agency identify any appropriate orphan share as part of those past costs discussions.

The involvement of all appropriate parties is an important part of the Agency process. As such, EPA can state that it intends to fully analyze all evidence and involve all appropriate potentially responsible parties as part of Site past cost negotiations. Further, it is EPA's intention that any orphan share be identified in preparation for past costs discussions. Once these issues have been evaluated, EPA will commence past cost negotiations, attempting to resolve such issues so that an agreement is in place concurrent with EPA's issuance of the final Site Remedial Investigation and Feasibility Study Report.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelcey J. Land".

Kelcey J. Land,
Acting Director, Technical Enforcement Program

Cc: Kevin Murray
Matthew Cohn